

Article - Education

[\[Previous\]](#)[\[Next\]](#)

§5–222.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Compensatory education enrollment” means:

1. Except as provided in subparagraph (iii) of this paragraph, for fiscal years 2017 through 2026, the greater of:

A. The number of students eligible for free or reduced price meals for the prior fiscal year;

B. For county boards that participate, in whole or in part, in the United States Department of Agriculture community eligibility provision, the number of students equal to the greater of:

I. The sum of the number of students in participating schools identified by direct certification for the prior fiscal year, plus the number of students identified by the income information provided by the family to the school system on an alternative form developed by the Department for the prior fiscal year, plus the number of students eligible for free and reduced price meals from any schools not participating in the community eligibility provision for the prior fiscal year; or

II. Subject to paragraph (3) of this subsection, the number of students eligible for free and reduced price meals at schools not participating in the community eligibility provision for the prior fiscal year, plus the product of the percentage of students eligible for free and reduced price meals at participating schools for the fiscal year prior to opting into the community eligibility provision multiplied by the prior fiscal year enrollment; or

C. The number of students directly certified and who are enrolled in a public school in the county in the prior fiscal year; and

2. For fiscal year 2027 and each fiscal year thereafter, the greater of:

A. The number of students eligible for free or reduced price meals using the United States Department of Agriculture count or the alternative State form for the prior fiscal year; or

B. The number of direct certification students who are enrolled in a public school in the county in the prior fiscal year.

(ii) For the purpose of the calculation under subparagraph (i)1BII of this paragraph, the schools participating in the community eligibility provision during the pilot year may use the percentage of students identified for free and reduced price meals during the pilot year.

(iii) For the purpose of the calculation under subparagraph (i)1 of this paragraph, direct certification multiplied by the multiplier may be used only for schools that did not exist prior to the year the school system opted into the United States Department of Agriculture community eligibility provision.

(3) “Compensatory education per pupil amount” means the following proportions of the target per pupil foundation amount:

- (i) For fiscal year 2022, 91%;
- (ii) For fiscal year 2023, 89%;
- (iii) For fiscal year 2024, 87%;
- (iv) For fiscal year 2025, 86%;
- (v) For fiscal year 2026, 85%;
- (vi) For fiscal year 2027, 80%;
- (vii) For fiscal year 2028, 78%;
- (viii) For fiscal year 2029, 76%;
- (ix) For fiscal year 2030, 76%;
- (x) For fiscal year 2031, 75%;
- (xi) For fiscal year 2032, 71%; and
- (xii) For fiscal year 2033 and each fiscal year thereafter, 73%.

(4) “Direct certification” means the certification of the income eligibility of a child under the following programs:

- (i) Supplemental Nutrition Assistance Program;

(ii) Temporary Assistance for Needy Families;

(iii) Foster care;

(iv) Head Start;

(v) Even Start;

(vi) Migrant students;

(vii) Homeless students; and

(viii) Medicaid and the Maryland Children's Health Program, up to 189% of the federal poverty level.

(5) "Eligible for free or reduced price meals" means eligible for free or reduced price meals based on eligibility requirements established by the United States Department of Agriculture.

(b) (1) Each fiscal year, the State shall distribute the State share for compensatory education to each county board.

(2) Each fiscal year, the county board shall distribute to each school the minimum school funding amount for compensatory education calculated under § 5-234 of this subtitle.

(c) (1) By school year 2022–2023, the State alternative income eligibility form shall be collected by each school that is participating in the United States Department of Agriculture community eligibility provision and may be collected by all other schools.

(2) The State alternative income eligibility form shall be developed by the Department and shall include a statement indicating that the income information requested on the form is used to determine local and State funding for education.

[\[Previous\]](#)[\[Next\]](#)